

SENATE BILL 271

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SB 119/11 – EHE

5lr0605
CF HB 239

By: **Senators Kelley, Astle, Benson, Cassilly, Eckardt, Feldman, Guzzone, Jennings, Kasemeyer, King, Klausmeier, Madaleno, Mathias, Middleton, Montgomery, Muse, Nathan–Pulliam, Pugh, Reilly, and Young**

Introduced and read first time: February 4, 2015

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Use of Campaign Funds for Meeting and Conference Expenses**

3 FOR the purpose of including a disbursement to pay the costs for travel, lodging, meals,
4 and registration expenses to attend certain meetings or conferences as an allowable
5 expenditure of funds from a campaign account under the State election law; and
6 generally relating to the use of campaign funds to pay expenses for a candidate's or
7 an elected official's attendance at certain meetings and conferences.

8 BY repealing and reenacting, without amendments,

9 Article – Election Law

10 Section 1–101(o)

11 Annotated Code of Maryland

12 (2010 Replacement Volume and 2014 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article – Election Law

15 Section 1–101(aa)

16 Annotated Code of Maryland

17 (2010 Replacement Volume and 2014 Supplement)

18 Preamble

19 WHEREAS, Campaign contributions regulated by the Maryland State Board of
20 Elections may be used for legally procured goods and services that "... promote or assist in
21 the promotion of the success or defeat of a candidate ..."; i.e., to enhance the electability of
22 the person on whose behalf the campaign finance entity is established; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 WHEREAS, State election law does not explicitly specify or limit the categories of
 2 expenditures that a campaign finance entity may make from a campaign account to "...
 3 promote or assist in the promotion of the success or defeat of a candidate ..."; and

4 WHEREAS, A letter of advice issued July 22, 2009, by the Attorney General of
 5 Maryland, Office of Counsel to the General Assembly, advises that campaign funds may
 6 not be used to fund a State legislator's travel, lodging, meals, and registration expenses at
 7 a legislative conference; and

8 WHEREAS, The purposes of many such meetings and conferences are to: (1) educate
 9 participants about the legislative process; (2) inform participants regarding other states'
 10 legislative solutions to similar problems that may be impacting Maryland; and (3) engage
 11 participants about issues and strategies to address matters emanating from the federal
 12 government; now, therefore,

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 14 That the Laws of Maryland read as follows:

15 Article – Election Law

16 1–101.

17 (o) (1) "Contribution" means the gift or transfer, or promise of gift or transfer,
 18 of money or other thing of value to a campaign finance entity to promote or assist in the
 19 promotion of the success or defeat of a candidate, political party, or question.

20 (2) "Contribution" includes:

21 (i) proceeds from the sale of tickets to a campaign fund-raising
 22 event; and

23 (ii) a disbursement or deposit of money or a gift, a subscription, an
 24 advance, or anything of value that is made by a person in coordination with, or at the
 25 request or suggestion of, a candidate or a campaign finance entity of a candidate.

26 (aa) "Expenditure" means a gift, transfer, disbursement, or promise of money or a
 27 thing of value by or on behalf of a campaign finance entity to:

28 (1) promote or assist in the promotion of the success or defeat of a
 29 candidate, political party, or question at an election; [or]

30 (2) pay for the publication expense of a legislative newsletter under Title
 31 13, Subtitle 4 of this article; **OR**

32 **(3) PAY FOR TRAVEL, LODGING, MEALS, AND REGISTRATION**
 33 **EXPENSES OF AN ELECTED OFFICIAL OR A CANDIDATE THAT ARE ASSOCIATED WITH**
 34 **ATTENDANCE AT MEETINGS OR CONFERENCES FOCUSED ON LEGISLATIVE ISSUES,**

1 PROCESS, OR PUBLIC POLICY ANALYSIS PERTINENT TO THE OFFICE THAT THE
2 ELECTED OFFICIAL HOLDS OR THAT THE CANDIDATE SEEKS.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2015.